

**JAN 27 2006**

**CATHY A. CATTERSON, CLERK**  
**U.S. COURT OF APPEALS**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

RICHARD STYPMANN,

Plaintiff - Appellant,

v.

GAVIN NEWSOM, Mayor; et al.,

Defendants - Appellees.

No. 05-16186

D.C. No. CV-04-04987-MMC

MEMORANDUM<sup>\*</sup>

Appeal from the United States District Court  
for the Northern District of California  
Maxine M. Chesney, District Judge, Presiding

Submitted January 23, 2006<sup>\*\*</sup>

Before: T.G. NELSON, SILVERMAN and BYBEE, Circuit Judges

A review of the record and the response to the court's October 18, 2005  
order to show cause indicates that the questions raised in this appeal are so

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<sup>\*</sup> This disposition is not appropriate for publication and may not be  
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> This panel unanimously finds this case suitable for decision without  
oral argument. *See* Fed. R. App. P. 34(a)(2).

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insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard).

Accordingly, we *sua sponte* summarily affirm the district court's judgment.

**AFFIRMED.**